

APPROVED: Meeting No. 11-84

ATTEST: *Helen M. Heneghan*

MAYOR AND COUNCIL  
ROCKVILLE, MARYLAND  
MEETING NO. 10-84

April 23, 1984

The Mayor and Council of Rockville, Maryland, convened in general session in the Council Chamber, Rockville City Hall, Maryland at Vinson Street, Rockville, Maryland on Monday, April 23, 1984, at 6:45 p.m.

PRESENT

Mayor John K. Freeland

Councilman Steve Abrams

Councilman Douglas Duncan  
(Left at 8:00 p.m.)

Councilwoman Viola Hovsepian

Councilman John Tyner, II

The Mayor in the Chair.

In attendance: City Manager Larry Blick; City Attorney Paul Glasgow; City Clerk Helen M. Heneghan

Re: Meeting with State Highway  
Administration and  
Montgomery County Council,  
re-widening of I-270

Maryland State Highway Administration officials, Hal Kassoff, Gary Hitchcock, John Snyder and Neal Pederson addressed the Mayor and Council on the widening of I-270. Present with the Council this evening were members of the Montgomery County Council. The State presented an alternative to the route previously recommended. This alternative shows a horizontal shift in the roadway. This shift, south of Maryland Rt. 28, will increase the distance from the homes to the edge of pavement by 30 feet maximum. It will reduce the height on the retaining walls needed along the west side of I-270 and reduce slightly the noise levels at the residences. A disadvantage would be an increase in the encroachment on the nursing home and church properties and an increase in the complications of maintenance of traffic requiring temporary pavement and detours. The cost will be increased by \$466,000. When the shift is accomplished north of Maryland Rt. 28 it will increase the distance from the homes to the edge of the pavement by 43 feet and again reduce slightly the noise levels of the residences. A disadvantage will be the increase of the encroachment on the industrial property to an increase of 2.1 acres and along with the increase in maintenance of traffic and temporary pavement the construction cost will rise by \$955,000. A question and answer period followed with representatives of the

neighborhoods affected and the State Highway representatives. The Mayor and Council thanked the State Highway Administration for their presentation this evening.

At this time the Mayor and Council took a five minute recess and Councilman Duncan left.

Re: City Manager's Report

Mr. Blick reported the following:

1. The Maryland Recreation and Park Association's 1984 Conference was held last week and the City received three awards: 1) The Agency Art Award for the most well-rounded arts program in the State; 2) The Parks Department received the Creative Parks Maintenance Award, specifically awarded to Greg Bayor. This is an annual award for the agency with the most specific park maintenance innovation, and; 3) Ron Olson received an award for participation on the Legislative Committee which was called Committee of the Year.

2. The flower beds have been readied for the planting of the roses. The roses will be planted some time in the next week, some at the corner of Maryland at Vinson Street and the remainder at the F. Scott Fitzgerald Theatre.

Mayor Freeland asked that a newsletter article be written telling of the Recreation Department and the awards they received. He asked the Council's pleasure whether they would like to discuss the presentation given this evening by Mr. Kassoff or would they like to discuss it later. It was the consensus of the Council to discuss it under new business.

Re: Proclamation: Clean for  
Spring Day - April 28

Proclamation No. 3-84

There being no objection from the Council, Mayor Freeland proceeded to issue Proclamation No. 3-84, proclaiming April 28 as Clean for Spring Day. Councilwoman Hovsepian read the proclamation at the request of the Mayor in which it was urged that all citizens follow the City's lead and pitch in to curb litter.

Re: Citizen's Forum

The Mayor opened the meeting to those citizens who wished to address the Mayor and Council:

1. David Brown, 2292 Dunster Lane. Mr. Brown said the sign at the entrance to Potomac Woods Park has been burned. He presented to the Mayor and Council a copy of a letter he received from the City's Recreation and Park department concerning a tree that fell down on Mr. Brown's property. He referred to the letter as insulting and gratuitous. He suggested that good public relations is important in a city government.

and the Parks Department should be trained in it. The Mayor and Council is responsible for the action of the City employees. He presented the Mayor and Council with a letter concerning the schedule of picnics that go on in the park that abuts his property. He said he has failed, in numerous attempts, to get all the information that should be given to a citizen concerning park use. It is time the City took a serious look at the use of what should be a neighborhood park. Mr. Brown addressed the advisory referendum that will be on the ballot. He said he has no objection to a four year term for the Mayor and Council; however, the term should be staggered so that a Mayor and two Councilmembers will be elected at one time and in two years the other two councilmembers. He noted that he will be moving from the City very soon. Mayor Freeland thanked Mr. Brown for the information provided this evening and the service he has given to the City and expressed the regret of the Mayor and Council to losing one of its citizens.

2. Ardell Shirley, 605 Douglas Avenue. Mrs. Shirley asked that the Mayor and Council accept the specific issue on the Ashley site in the Lincoln Park Plan as it stands and make no change when the plan is adopted.

3. Carolyn Wilson, 5 Moore Drive. Ms. Wilson told the Mayor and Council that the tenants and the Housing Authority would like to see the Community Housing Resources Board program go into effect. Mayor Freeland said based on the Rockville Housing Authority's recommendations the Mayor and Council makes its decision so he asked that the tenants make their wishes known to the Rockville Housing Authority. If the Housing Authority will not go along with the tenants' wishes then the tenants should get back to the Mayor and Council. Ms. Wilson asked the City's assistance with the fumigation that is needed. Mayor Freeland noted that that specifically has been requested by the Housing Authority in its budget.

4. Jan Brown, Rockville Housing Authority Commissioner. Mrs. Brown told the Mayor and Council that she was appointed to the Housing Authority in September of 1983 and hopes to continue service for a good deal of time. Many negative things have been heard about the Housing Authority but only one side of the issue has been known. When the present Executive Director came on board the dwelling income was \$6,000 a month, it is now \$22,000 per month. The present Executive Director was brought on due to the drastic financial conditions that existed at the time when all utilities were delinquent. There have been many improvements made since that time and they were made by the Executive Director. She noted the Tyner report has been referred to when the housing projects were studied and in the report six families with problems were mentioned. She would like to point out that there are 141 units there and six is a very small number. She addressed the bid process at the Authority

and said when only one bid is received it is best to disregard it and rebid the item and that is the procedure that is followed at the Housing Authority.

Mrs. Brown said she wants to help turn things around at the Authority and give the place a chance. This can only be done by talking positive and taking a positive stance. Mayor Freeland thanked Mrs. Brown for her comments and the time she has spent. He said the Mayor and Council is going to stand behind the Rockville Housing Authority. He doesn't expect miracles but he does want to see progress. Mrs. Brown said at no time would she pretend that everything is perfect at the Housing Authority. This is much room for improvement but she plans to work to bring about that improvement. Mayor Freeland said there will be a meeting next week with the Rockville Housing Authority and the Human Rights Commission is welcome to attend. All sides of the story can be heard at that time. Councilman Abrams said he hoped the press would report what is said this evening to give balance to what has occurred.

5. Phyllis Marcuccio, member of the Rockville Housing Authority. Mrs. Marcuccio said she shared Mrs. Brown's comments and she looks forward to the meeting. She cited the Tyner Report and the ten recommendations that were made. She said it seemed that all were accomplished. She noted the ombudsman process that was recommended and the ombudsman has been used mostly for landlord/tenant relations, not by tenants of the Housing Authority, and this is a good sign. She said it is her feeling that the Commissioners themselves might need counsel since there is a divisive situation on the Housing Authority that needs outside help. There are commissioners who have allowed their personal needs to be made more important than the Rockville Housing Authority and this must change. She cited the fact that new kitchen and new floors have been put in and now outside work is being done. She plans to continue her work at the Authority to bring about these changes. Mayor Freeland thanked Mrs. Marcuccio for her efforts.

6. JoAnn Mazzetta, Chairman of the Human Rights Commission. Mrs. Mazzetta asked if tenants can attend the meeting of the Mayor and Council and the Housing Authority next week. The Mayor said the meeting will be opened to the public and anyone is welcomed to attend to listen; however, as to participation, he feels it is best to first establish understanding between the Commissioners and then later deal with the tenants. Councilman Tyner suggested that the president of the tenant's association attend. Mayor Freeland agreed and repeated the meeting is opened to the public.

Mrs. Mazzetta said she would like to tell the Council that there was a serious problem in her backyard due to motorcycle riding and ruts and grooves in the land. She called the Police Department and Officer Dredde responded quickly and efficiently and the problem has been solved.

7. Clinton Wilson, Lincoln Terrace Apartments. Mr. Wilson said he is tired of listening to people sit and talk and not do any work for the people in the Housing Authority. Nothing has been done to show that anyone is really trying to correct the problems that exist there. He went on to cite all of the problems that exist as to housing, infestation, drugs, etc. He noted the lack of response that exists. Mayor Freeland told Mr. Wilson that he hoped he would be aware of the progress that is being made and the plans for what will be done in the future.

8. Robert Metz, Linowes & Blocher. Mr. Metz referred to Item No. 13 on the Council's agenda. He said he asked the City Attorney to prepare an ordinance to grant the zoning since there has been no opposition to this particular item. Mr. Tyner asked if it is a hardship for his client to wait until May 7 for action. Mr. Metz said he would prefer to see it accomplished by this Mayor and Council since they conducted the hearing and are aware of the fact that there was no opposition.

Councilman Tyner said he would like to note that the purpose of the Tyner Report when it was written was to get people to talk to each other. It was a beginning and now everyone should go on from there. Councilwoman Hovsepian said she has asked for this meeting between the Council and the Housing Authority and she is sorry it was not scheduled early and had to wait until after the election.

Re: Adoption of Ordinance: to  
Amend the Master Plan to  
Include the Lincoln Park  
Neighborhood Plan

#### Ordinance No. 13-84

Councilman Tyner moved, seconded and passed by unanimous vote of all present, that the Ordinance be amended so that the changes as submitted up to and including page 80 be done, leaving, page 81 as it appears in the printed Neighborhood Plan.

Councilwoman Hovsepian asked that the amendment include a footnote on page 8 to Item No. 4 to address the drainage problems that exist. Mr. Tyner agreed to this amendment. The Amendment passed by unanimous vote of all present.

On motion of Councilman Tyner, duly seconded and passed by unanimous vote of all present, Ordinance No. 13-84, the full text of which can be found in Ordinance Book No. 11 was adopted by the Mayor and Council as amended.

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Re: Introduction of Ordinance:  
To Amend Section 11-1.06  
of Chapter 11, of the  
"Laws of Rockville" to  
increase the penalty for  
violations, and to provide  
for a fine for flagging.

On motion of Councilman Abrams, there was introduced upon the table an Ordinance to amend Section 11-1.06 of Chapter 11 of the "Laws of Rockville" to increase the penalty for violation and to provide for a fine for flagging.

Re: Adoption of Ordinance: To  
amend the zoning map to  
include 36.593 acres of  
land, X-93-83, North Side  
of Baltimore Road

Ordinance No. 14-84

On motion of Councilman Abrams, duly seconded and passed by unanimous vote of all present, Ordinance No. 14-84, the full text of which can be found in Ordinance Book No. 12 of the Mayor and Council, amending the zoning map to include 36.593 acres of land, was adopted by the Mayor and Council.

Re: Adoption of Ordinance: To  
amend Chapter 17 of the  
"Laws of Rockville",  
Grading, Erosion and  
Sediment Control, to  
eliminate the payment bond  
requirements and reference  
Maryland Water Resources  
Administration Regulations

Ordinance No. 15-84

On motion of Councilman Abrams, duly seconded and passed by unanimous vote of all present, Ordinance No. 15-84, the full text of which can be found in Ordinance Book No. 12 of the Mayor and Council, amending Chapter 17 to eliminate the payment bond requirements and reference Maryland Water Resources Administration Regulations, was adopted by the Mayor and Council.

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Re: Adoption of Ordinance: To amend Chapter 7, Sections 7-1.11 and 7-1.12 of the Road Code to provide for the acceptance of security other than cash or corporate bonds

Ordinance No. 16-84

On motion of Councilman Abrams, duly seconded and passed by unanimous vote of all present, Ordinance No. 16-84, the full text of which can be found in Ordinance Book No. 12 of the Mayor and Council, amending Chapter 7, Sections 7-1.11 and 7-1.12 providing for the acceptance of security other than cash or corporate bonds, was adopted by the Mayor and Council.

Re: Adoption of Ordinance: To amend the zoning map by adding 1.0823 acres of land, on the north side of Southlawn Lane at North Horners Lane, X-94-83, J.B. & Co., Applicant

Ordinance No. 17-84

On motion of Councilman Abrams, duly seconded and passed by unanimous vote of all present, Ordinance No. 17-84, the full text of which can be found in Ordinance Book No. 12 of the Mayor and Council, amending the zoning map by adding 1.0823 acres of land, was adopted by the Mayor and Council.

Re: Annual Report of Advisory Commission on Public Education

Chairman Elaine Goldberg, Chairman of the Advisory Commission on Public Education, addressed the Mayor and Council and gave them the annual report. She noted that in the material before them, she would specifically like to address the goals for 1984-1985:

Commission is establishing a Task Force to investigate the establishment of special course offerings at Richard Montgomery High School

Commission has requested liaison from each Rockville PTA to its Research Subcommittee in order to conduct a long-term analysis of Rockville Schools.

Commission will sponsor at least two meetings a year of all Rockville PTAs.

Commission will work with the City Planning Department to develop a draft chapter addition to the 1970 Master Plan

Commission will continue to work on meeting the previously established goals and objectives.

Councilman Tyner asked what the plans of the commission are as to making an addition to the Master Plan. Mr. Davis explained that the neighborhood viability is affected by the schools and this should be addressed. Councilman Abrams asked that the preliminary recommendations be sent out to the citizens before they are given to the Commission for action. Mayor Freeland disagreed. He said any recommendations

from the staff should go to the Commission and then should be sent to the Mayor and Council before they are published. Councilman Abrams said he could not disagree with that but he would like the Mayor and Council to be kept apprised of the methodology that is being employed. Mrs. Goldberg said at this time there is no methodology. This summer, the Commission plans to start working with the Planning Department at their invitation and only at that time would they know what they can do, so it would be much too early to be discussing methodology. Councilman Tyner suggested that the Mayor and Council be just kept apprised of the discussions so they can be on top of the situation. Mrs. Goldberg agreed that certainly would be done. Councilwoman Hovsepien asked that Mrs. Goldberg mention to the Board of Education the problem that exists in the neighborhood of speeding school buses on City streets.

Mayor Freeland complimented the Commission and Mrs. Goldberg and noted that they have exceeded any expectations that the Mayor and Council had at the time they were formed.

Re: Decision and Instructions  
to Staff re Map Amendment  
Application, M-37-84, 820-  
822 Rockville Pike,  
requesting the property be  
rezoned from the present  
I-1, Industrial to C-2  
Commercial

Ordinance No. 18-84

Councilman Tyner moved, duly seconded that the staff prepare the necessary legal documentation to grant Map Amendment Application M-37-84 since there was no opposition to the rezoning and it was not rezoned at the time of the comprehensive rezoning action at the specific request of the developer due to some non-conforming uses. However, at the present time, this action offers a change to C-2, placing the entire parcel in the C-2 where it was previously divided.

On motion of Councilman Abrams, there was introduced upon the table an ordinance to grant the subject Map Amendment Application, granting M-37-84.

On motion of Councilman Tyner, duly seconded and passed by unanimous vote of all present, Council agreed to waive the lay over and publication requirements of an Ordinance.

On motion of Councilman Abrams, duly seconded and passed by unanimous vote of all present, Ordinance No. 18-84, the full text of which can be found in Ordinance Book No. 12 of the Mayor and Council, granting Map Amendment Application, M-37-84, was adopted by the Mayor and Council.



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Re: Decision and Instructions to staff re Text Amendment, T-57-83, David D. Frieshtat, Applicant, requesting a new subsection be added to the Zoning Ordinance to address problem relative to off-street parking in the O-2 Zone

This is a request to amend Article 3, Division 4, Parking, Loading, and Access Requirements to add a new subsection under Section 3-401, General, so as to give the Planning Commission authority to waive certain parking requirements in the O-2, Transitional Office Zone.

Councilman Tyner said he voted against this when it was presented as T-44-81 but he sees no reason to oppose it now. He asked that the staff bring the Mayor and Council a list of O-2 properties through the City that could be effected. He would like note of those places where traffic can back into the street and cause a safety problem, after the Planning Commission has waived the requirement.

On motion of Councilwoman Hovsepian, duly seconded and passed by unanimous vote of all present, the staff was instructed to prepare the necessary legal documentation to grant this application.

Re: Decision and Instructions to staff re Text Amendment Application, T-58-84, Planning Commission, Applicant, requesting an amendment to the Zoning Ordinance to correct a footnote which affects building lines in the TCO-1 Zone

This is a request to amend Article 3, Section 3-301, Tables of Development Standards (Table III Development Standards for Town Center Zones) so as to correct footnote #1 as follows:

#1. "Building line to be maintained to full [height] width along all rights-of-way."

[Brackets] indicate deletion.

Underlining indicates addition.

On motion of Councilman Abrams, duly seconded and passed by unanimous vote of all present, the staff was instructed to prepare the necessary legal documentation to grant the application.

Re: Traffic Impact Study - Washingtonian Center

Mr. Robert Metz, of the firm of Linowes and Blocher, briefed the Mayor and Council on the Washingtonian Center Development. This site is located on the existing Washingtonian Country Club site north of Shady Grove Road between I-270 and

Fields Road. It consists of 5.2 million square feet of total development, including 3 million square feet of office. He expressed regret that Rockville is so opposed since development as now proposed is 50 percent of what was talked about in 1971. He introduced Mr. Edward Y. Papazian of Barton-Aschman Associates, Inc., consultants who did the traffic impact study. Mr. Papazian, with the use of a series of maps and illustrations, gave the Council the results of the traffic impact study which has concluded that 1. the capacity analysis result show that satisfactory levels of service will occur at all key area intersections. 2) Its general roadway system will also operate in a safe and efficient manner and 3) the site access system and internal roadway system will operate in a safe and efficient manner. Mayor Freeland disagreed with several points brought forward by the consultant. A long discussion followed. It was Councilwoman Hovsepian's feeling that an environmental impact study should be done. Councilman Abrams noted that more and better accounting should be done since it would seem the same roads are being counted over and over again. It would solve many problems that exist in that particular quadrant. He would prefer the developers, instead of examining that small area look to their picture. Councilman Tyner agreed and suggested also that when looking into that area the consultants take into account all the Rockville projects and what type of traffic they generate. Mayor Freeland said it is necessary to look at the whole county since the operation of Montgomery County differs from that of the Metropolitan region since in examining traffic flow into Washington, D.C., carpools are used extensively and this type of transportation is not feasible in the county areas. Mayor Freeland thanked Mr. Metz for the presentation this evening but said it would be a good idea for them to go back and look at the whole county and including Rockville so that we can all continue to analyze what is happening. It is no good to use tools that have not been successful in the past but it is quite necessary to look at each others plans. Mr. Metz said he hopes his firm will continue to have the opportunity to convince the Mayor and Council of the worth of this development.

Re: Preliminary review and  
referral of Text Amendment  
Application, T-61-84,  
Planning Commission,  
Applicant, Uses in the C-1  
Zone

The Planning Commission has instructed the staff to file a Text Amendment on its behalf to amend the Table of Uses for the C-1 local commercial zone. This is Text Amendment Application, T-61-84. Councilman Abrams suggested that the Mayor and Council be provided with an inventory of the current uses in the C-1 Zone.

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On motion of Councilman Tyner, duly seconded and passed by unanimous vote of all present, Text Amendment Application, T-61-84, was referred to the Planning Commission for further review. He asked that the Mayor and Council be kept informed of the neighborhood notification on this matter.

Re: Approval of agreements re  
future annexation of  
properties of John H.  
Voegtly, Carroll S.  
Voegtly, and Nancy N. Gude

The agreements were presented to the Mayor and Council for their approval.

On motion of Councilman Abrams, duly seconded and passed by unanimous vote of all present, the Council approved the agreements.

Councilman Tyner thanked Col. Voegtly for staying this evening for these deliberations. Col. Voegtly addressed the Mayor and Council and acknowledged their fine efforts and the consideration given to keep greenspace. He also acknowledged the fine efforts of the City Attorney in drafting the agreement.

Re: Award of of Contract: Bid  
No. 50-84, Research  
Boulevard/Gude Drive

Bids were opened at 3:30 p.m. Thursday, April 5, 1984, in the Mayor and Council Chamber for construction of the referenced projects:

Gude Drive Pavement/Bridge (090311) and Water Main (000433) Research Boulevard Pavement (000112) and Water Main (030232)

The project has been bid at an ideal time of year, resulting in extremely responsive pricing. Nine bids were received as follows:

Brigham Day, Rockville, Maryland	\$2,889,402.50
Corman Construction, Washington, D.C.	\$2,973,040.00
Columbus Company, Odenton, Maryland	\$2,996,783.50
Shirley Contracting Company, Lorton, Virginia	\$2,999,050.00
Pleasant Excavating Company, Clarksburg, Maryland	\$3,062,015.75
ATEC Contracting Corp., Upper Marlboro, Maryland	\$3,101,240.00
Marbro Company, Inc., Beltsville, Maryland	\$3,195,626.25
J. Dustin & Son, Rockville, Maryland	\$3,445,867.01
J.P. Smith, Edgewater, Maryland	\$3,476,617.00
Engineer's Estimate	\$3,130,176.00
Total Remaining Appropriation	\$5,059,017.00

Due to the intricate relationship, it was necessary to combine these four projects into one contract in order to obtain the lowest possible prices for each. A tabulation showing the bid prices and remaining appropriation for each project follows:

<u>Project Name</u>	<u>Bid Price</u>	<u>Remaining Appropriation</u>
(a) Gude Drive paving/bridge	\$2,168,123.00	\$4,021,411.00
(b) Research Boulevard paving	611,436.00	897,197.00
(c) Gude Drive Water Main	42,940.00	60,190.00

(d) Research Boulevard Water Main	66,902.00	80,219.00
TOTAL	<u>\$2,889,402.00</u>	<u>\$5,059,017.00</u>

The remaining appropriation for Gude Drive roadway/bridge project is \$4,021,411. Future expenditures, over and above those shown under the bid price column, for inspection services, street lighting, a traffic signal and miscellaneous costs will require approximately \$325,000, leaving a net appropriation for the work under this contract of approximately \$3,696,411 plus \$60,190 for the water main.

The remaining appropriation for Research Boulevard roadway project is \$897,197. Future expenditures, over and above those shown under the bid price column, for inspection services, street lighting, a traffic signal and miscellaneous costs will require approximately \$75,000, leaving a net appropriation for the work under this contract of approximately \$822,197 plus \$80,219 for the water main project.

The appropriation for each of the above projects is adequate to cover the current contract with sufficient funds remaining to cover anticipated future costs. The low bidder, Brigham Day, has satisfactorily accomplished similar projects for the City and/or the Maryland State Highway Administration in the past. They are well qualified to undertake a project of this nature and magnitude.

It is recommended that the contract be awarded to the low bidder, Brigham Day, Inc., in the amount of their bid of \$2,889,402.50.

On motion of Councilman Abrams, duly seconded and passed by unanimous vote of all present, Bid No. 50-84 was awarded to the low bidder, Brigham Day, Inc., in the amount of their bid of \$2,889,402.50.

Councilman Tyner asked if the Council could be provided with the status of the Thomas Farm assessment.

Re: Award of Contract: Bid  
No. 51-84, Right-of-way  
mowing

The subject Invitation for Bid was issued to obtain a company or companies to cut the grass, trim curbs and walkway edges, trim around trees and shrubs, and clean the turf in the City rights of ways. The subject rights of ways are scattered acres ranging from one-half (1/2) acre to two acres. The acreage was previously included under Project "M.O.R.E." (Maintain Our Rockville Environment). Acreage has been grouped together under five parcels of land.

Bids were opened at 3:00 p.m. on April 10, 1984, in the Mayor and Council Chamber.

The following bids were received. The Contract is to be awarded to the

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responsible bidder(s) submitting the lowest bid PER parcel of land.

COMPANY	PARCEL A	PARCEL B	PARCEL C	PARCEL D	PARCEL E
David H. Hawkins, Jr Landscaping Frederick, Maryland	\$5,863.00	\$5,617.04	\$3,303.30	\$2,814.24	\$4,278.56
Montgomery Landscaping & Lawn Service Rockville, Maryland	\$6,388.00	\$6,120.01	\$3,599.05	\$3,066.18	\$4,661.67
James R. Smith Rockville, Maryland	\$6,220.11	\$6,360.02	\$3,992.48	\$3,351.50	\$4,502.21
Kousin's Lawn Service Rockville, Maryland	\$6,662.50	\$6,383.00	\$3,753.75	\$8,198.00	\$4,862.00
Village Gardener Rockville, Maryland	\$8,261.50	\$7,276.62	\$4,504.50	\$3,709.68	\$6,223.36
Clean Shopping Ctrs of Md. Samuel W. Copeland Rockville, Maryland	\$9,131.25	\$8,712.60	\$5,609.50	\$4,108.00	\$6,617.00
Holler Landscaping Rockville, Maryland	\$9,327.50	\$10,212.80	\$5,255.25	\$4,477.20	\$6,806.80
Commercial Lawn & Landscaping Rockville, Maryland	\$9,375.00	\$12,671.10	\$6,760.00	\$4,420.00	\$4,680.00
Tito Contractors Washington, D.C.	\$18,655.00	\$16,085.00	\$10,210.00	\$14,071.00	\$17,892.
Davis Landscape Contractors, Inc. Gaithersburg, Maryland	\$27,910.00	\$26,214.50	\$15,379.00	\$13,390.00	\$20,065.50

David H. Hawkins Jr., Landscaping provided the low bid on each parcel of land.

David H. Hawkins Jr., Landscaping prices were based on a per acreage cost of \$22.00 per acre. Last year, the cost to the City under Project M.O.R.E. was \$35 per acre.

As the low bidder, David H. Hawkins, Jr., Landscaping has provided a total low bid of \$21,876.14 vs. \$34,802.95 paid by the City under Project M.O.R.E. for the same acreage last year. This amounts to a savings of \$12,926.81 or 37%.

The Budget estimate for FY 84/85 was \$30,000.00.

It is hereby recommended that award be made to David H. Hawkins Jr., Landscaping in the amount of \$21,876.14.

On motion of Councilman Abrams, duly seconded and passed by unanimous vote of all present, Bid No. 51-84 was awarded to the David H. Hawkins, Jr., Landscaping, in the amount of \$21,876.14. Councilman Tyner asked if this particular bid could be expanded to encompass the Rockville Housing Authority Maintenance or would City crews do that. Mr. Olson said this particular contract cannot be expanded however it can be bid quite easily depending on the service needed.

Re: Road Code Waiver: Courts  
of Town Center

Resolution No. 19-84

On motion of Councilwoman Hovsepian, duly seconded and passed by unanimous vote of all present, Resolution No. 19-84, the full text of which can be found in Resolution Book No. 8 of the Mayor and Council, approving a request for waiver of Section 7-1.05e(3)e to allow an adjustment in sidewalk alignment and material for along Argyle Street and part of South Washington Street, was approved by the Mayor and Council.

Re: Work Session - Occupational Regulations. Introduction of Ordinance: To repeal in its entirety Chapter 13 Sections 13-1.00 through 13-1.17 of the "Laws of Rockville" and to enact a new Chapter 27 entitled "Amusements and Vendors Regulations" to regulate and require licensing certain activities with the City of Rockville and to prohibit fortune telling, palmistry and phrenology, and to provide for the administration and enforcement of the ordinance

The Mayor and Council reviewed the materials presented to them by the staff noting the changes that were made as a result of the previous discussions. The City Manager suggested this material might be circulated to all the industries affected prior to the hearing. Councilwoman Hovsepian agreed and also asked that PTA's and Mr. Zetts be sent copies of this. Mayor Freeland asked that the Civic Associations and Chamber of Commerce be included. This is an ordinance which is a new Chapter 13 to be known as the Amusements and Vendors Regulation Ordinance of the City of Rockville, Maryland. It was introduced upon the table. There will be a public hearing held on the Ordinance on August 13.

Re: Correspondence

The Mayor and Council noted the following item of correspondence:

1. Charles Leasure, re resignation
2. Mr. & Mrs. Miller, re neighborhood problem
3. Delegate Boergers, re Metro fares  
Delegate Boergers, re Program Open Space
4. Councilwoman Geman, re Twinbrook Elementary renovations
5. Acknowledgment of contest entry
6. Sister Cities, Inc., re fund raising

## 7. J. Seidel, 1st Maryland Bank, re Olympics

Councilman Tyner suggested the Mayor and Council take appropriate action and thank Mr. Seidel from the First Maryland Bank for the information.

## 8. MML re ad

Councilman Tyner asked that the Mayor and Council consider placing an ad in the Anniversary Edition. Mayor Freeland and the Council agreed to place a full page ad in it and asked the Public Information Officer to do a lay out.

## 9. G. Wilt, re neighborhood problem

## 10. Scott Fosler, re benefits of COG membership

## 11. Senator Long, re SB922

Re: Information Items

## 1. Copies of letters complimenting staff

## 2. Copy of letter to Planning re Lewis Ave. zoning

Councilman Tyner said he plans to follow this action closely since expansion of the McCormick Paint Company is not in the best interest of the neighborhood.

## 3. Copy of letter to Maryland DOT from Delegate Gordon

## 4. Response to citizen inquiry

## 5. Memo re drainage problem in Lincoln Park

Councilwoman Hovsepian said this particular letter does not identify the problem.

## 6. Information re Landlord/Tenant inquiries

## 7. Copy of letter from Advisory Commission on Education to Rockville High re Task Force on special program

## 8. Sample Ballot

Mayor Freeland complimented the staff on the sample ballots

## 9. Memo from City Manager on fire hydrant policy

Mayor Freeland asked that this item be placed on an agenda in May and the information be sent out to the people

## 10. Response to a citizen complaint

Mayor Freeland said the letter is fine. Councilman Abrams suggested that letters from the staff have more sensitivity in the future.

## 11. Ramp schedule

The Council asked how far behind the ramp schedule is and the staff said two to three days.

Re: New Business

1. Councilman Tyner asked that the Mayor and Council issue a proclamation proclaiming the of May 13-19 as Municipal Clerk's Week. The Council agreed to this.

2. Councilman Tyner asked the staff to provide the Council with information on the status of the Twinbrook Office Center at the old Pepsi Cola plant.

3. Councilman Abrams asked what action is expected on the realignment of I-270. Councilwoman Hovsepian said she is quite pleased with the shifting which should have

been done before. Councilman Freeland said noise and other problems will be mitigated by this action. Councilwoman Hovsepian said she is still concerned with the environmental impact and the pollution that will be caused. Mrs. Hovsepian was assured that there will be a good deal of pollution also if improvement in traffic is not done due to standing traffic. The Council agreed that a letter would be sent to the State Highway Administration stating that the Council agrees with the concept of realignment and the alternative actions suggested tonight provided run off, sound, etc., as mentioned tonight and in previous discussions concerning design be addressed and include the comments of the citizens. The Mayor and Council expressed their appreciation for the responsiveness of the State.

Re: Approval of Minutes

On motion of Councilwoman Hovsepian, duly seconded and passed by unanimous vote of all present, the Minutes of Meeting No. 8-84, were approved as corrected.

On motion of Councilman Abrams, duly seconded and passed by unanimous vote of all present, the Minutes of Meeting No. 9-84, were approved as corrected.

Re: Executive Session

On motion of Councilwoman Hovsepian, duly seconded and passed by unanimous vote of all present, the meeting was closed for executive session to discuss real estate.

Re: Adjournment

There being no further business to come before the Mayor and Council in executive session, the Meeting was adjourned at 12:21 a.m. to convene again in general session on Monday, April 30, 1984, at 10:15 p.m. or at the call of the Mayor.